

FILED

UNITED STATES COURT OF APPEALS

JAN 03 2012

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

BRENT ROGER WILKES,

Defendant - Appellant.

No. 08-50063

D.C. No. 07-cr-00330-LAB
Southern District of California,
San Diego

ORDER

Before: ALARCÓN, Circuit Judge.

Appellant's Motion for Stay Issuance of the Mandate pending the filing of a petition for writ of certiorari in the United States Supreme Court is GRANTED.

Pursuant to Fed. R. App. P. 41(d)(B), the mandate in the case is stayed for ninety (90) days to permit the appellant to file a petition for writ of certiorari in the Supreme Court. Should the Supreme Court grant certiorari, the mandate will be stayed pending its disposition of the case. Should the Supreme Court deny certiorari, the mandate will issue immediately. The parties shall advise the court immediately upon the Supreme Court's decision.